

***** **UNITED STATES DISTRICT COURT** *****

NORTHERN

DISTRICT OF

NEW YORK

JUDGMENT IN A CIVIL CASE

DOCKET NO 9:03-CV-0108 (LEK/DRH)

JOSE ANDUJAR,

Petitioner,

-against-

R. McGINNIS,

Respondent.

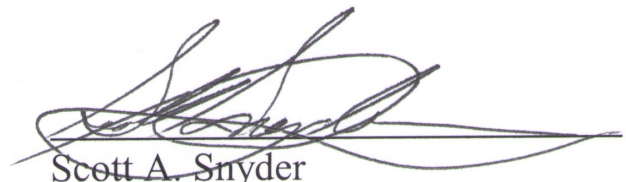
_____ **JURY VERDICT.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

_____ **XX DECISION by COURT.** This action came to trial or hearing before the Court. The issues have been tried and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that in the above entitled action, the Report-Recommendation of the Honorable David R. Homer, dated September 24, 2004, is **APPROVED** and **ADOPTED** in its **ENTIRETY**; **IT IS FURTHER ORDERED** that the case is **DISMISSED** and judgment is entered in favor of the respondent as against the petitioner, in accordance with the **DECISION** and **ORDER** of the Honorable Lawrence E. Kahn, U. S. District Judge, dated January 30, 2006.

DATE: January 30, 2006

LAWRENCE K. BAERMAN
CLERK OF THE COURT



Scott A. Snyder
Courtroom Deputy to the
Honorable Lawrence E. Kahn